

OGC 79-03352
11 April 1979

OGC Has Reviewed

MEMORANDUM FOR: Inspector General
Legislative Counsel
Director of Public Affairs
Comptroller
Director, Equal Employment Opportunity
Deputy to the DCI for Resource
Management
Deputy to the DCI for Collection
Tasking
Deputy Director for Administration
Director, National Foreign Assessment
Center
Deputy Director for Operations
Deputy Director for Science &
Technology

STAT FROM : [REDACTED]
Office of General Counsel

SUBJECT : Conflicts of Interests: Post-Employment
Restrictions

1. As you are aware, the Ethics in Government Act of 1978 places certain restrictions on the activities of former government officers and employees. Those restrictions have been roundly criticized as being too severe and are now under review by congressional members who have introduced legislation to amend the Act and soften its impact. The Administration is supporting those amendments and expects to see their passage before the restrictions become effective on 1 July. However, the full impact cannot be appreciated until it is known for certain whether the contemplated amendments are actually adopted.

2. In the interim, the Office of Government Ethics, which is responsible for overseeing implementation of the new law, published its proposed regulations in this area and has requested comments. This Office is coordinating Agency response, and I have attached a copy of the regulations for your review and any comment. My initial reaction is that the Ethics Office has clarified several ambiguities and that the impact of the new law will not be as restrictive as believed earlier. Moreover, I believe that, for the first time, Government employees will be given a relatively clear idea of the extent to which they may participate in post-employment activities. I have a limited number of additional copies to make available to employees upon request.

3. I would appreciate any comments or suggestions you may have regarding the proposed regulation, by 4 May 1979, since the Ethics Office has proved very amenable to accommodating our interests over recent weeks. In particular you may wish to consider how this Agency will attempt to designate certain "senior employees"--those with grades of GS-17 and above who have significant decision-making or supervisory authority--as being subject to the more restrictive provisions of the bill (i.e., the two-year ban on advising others on matters before, and the one-year total ban on contact with, the Agency). In this regard see the regulation at section 737.25.

4. If you have any questions or comments, please do not hesitate to contact me [redacted] Thank you very much for your cooperation.

STAT

Attachment



cc: Director of Logistics
Director of Personnel
Coordinator for Academic Relations/NFAC
Executive Secretary of STIC
Assistant to the DDCI [redacted]
Chief, Administrative Staff/DDS&T

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